

# Town of Frederick Board of Trustees



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AM 2010-054

## To Consider the Sandstone Ridge Business Park Preliminary Plat

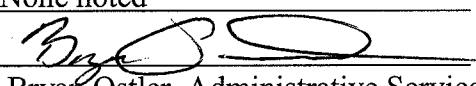
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**Agenda Date:** May 11, 2010

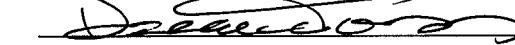
**Attachments:**

- a. PCR-2010-08C Recommending Conditional Approval of Sandstone Ridge Business Park Preliminary Plat
- b. Draft Planning Commission Minutes from April 20, 2010
- c. Applicant's Application
- d. Resolution
- e. Letter from Ginny Shaw dated April 25, 2010
- f. Letter from Charles M. Baum dated April 27, 2010
- g. Letter from Mike Carr dated April 29, 2010
- h. Vicinity Map
- i. Preliminary Plat and Landscape Plan

**Fiscal Note:** None noted

  
Bryan Ostler, Administrative Services Director

**Submitted by:** Jennifer Simmons *JS by M*  
Planning Director

**Approved for Presentation:**   
Town Administrator

**AV Use Anticipated** Projector Yes Laptop No

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**Certification of Board Approval:**

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Date

### **Summary Statement:**

The property owner has submitted an application for a preliminary plat on approximately 28.7 acres.

**Detail of Issue/Request:**

**Applicant:** Dillon Family, LLC  
Ryan Dillon  
138 S Downing St.  
Denver, CO 80209

**Property Owner:** Dillon Family, LLC  
Ryan Dillon

**Location and Zoning:** The project is located north of Bella Rosa Parkway/CR 20, west of the West I-25 Frontage Road. The property is currently zoned Business Light Industrial with a PUD overlay.

**Surrounding land uses and zoning**

North	Agriculture/Weld County Agricultural
South	Agriculture/Neighborhood Commercial
East	I-25 and Business park/Industrial
West	Agriculture/Low Density Residential

**Discussion:** The Dillon Family has submitted an application for a preliminary plat that would create seventeen lots. The plat also creates an access easement to the Rinn Methodist Church from Sandstone Street.

The plans have been referred to the following agencies as required by the Land Use Code: Frederick-Firestone Fire Protection District, Source Gas, United Power, Comcast, Qwest Communications, Carbon Valley Recreation District, Lefthand Water District, St. Vrain Sanitation District, US Post Office, Kerr-McGee, and Colorado Department of Transportation.

**Review Criteria:** The review criteria for a preliminary plat are as follows:

- a. Preliminary plat review criteria. The Town shall use the following criteria to evaluate the applicant's request:
  - (1) The preliminary plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan.
  - (2) The application is consistent with the approved sketch plan and incorporates the Planning Commission's recommendations and conditions of approval.
  - (3) The land use mix within the project conforms to the Town's Zoning District Map and Comprehensive Land Use Map and furthers the goals and policies of the Comprehensive Plan, including:
    - (a) The proposed development promotes the Town's small-town, rural character;
    - (b) Proposed residential development adds diversity to the Town's housing supply;
    - (c) Proposed commercial development will benefit the Town's economic base;
    - (d) Parks and open space are incorporated into the site design;
    - (e) The proposed project protects the Town's environmental quality; and
    - (f) The development enhances cultural, historical, educational and/or human service opportunities.

- (4) The utility and transportation design is adequate, given existing and planned capacities of those systems.
- (5) Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.
- (6) There is a need or desirability within the community for the applicant's development, and the development will help achieve a balance of land use and/or housing types within the Town, according to the Town's goals.

The requested plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code and the Comprehensive Plan. The project conforms to the Town's Zoning District Map, Comprehensive Land Use Map, and furthers the goals and policies of the Comprehensive Plan. There is no residential development within the area being platted. This project provides functional business light industrial sites for new businesses to occupy, benefitting the Town's economic base. The plat meets the parks and open space requirement for a non-residential development. Utility and transportation design is adequate and no negative impacts have been identified. This project will provide additional areas of employment, therefore helping to maintain the desired land use balance within Town.

**Public Notice:** This project was properly noticed according to the requirements of Section 4.5.8 of the Frederick Land Use Code.

**Planning Commission Review:** This project was presented to the Planning Commission on April 20, 2010 at a public meeting as required by the Land Use Code. The Commission recommended conditional approval of the request as documented in PCR-2010-08C (see attached). Of the conditions attached, only numbers 1 and 2 remain as recommended conditions. Conditions 3 through 5 have been addressed.

**Additional Background Information:** Three letters are attached to this report from representatives of the Rinn Methodist Church concerning potential impacts of the proposed development. There had been discussions between the applicant and church representatives regarding a possible donation of land. No agreement was ever reached between the two parties.

The Board of Trustees was aware of these discussion and in Resolution 02R051 regarding Sandstone Ridge Estates Preliminary Plat, a condition was included that stated, "The Rinn Methodist Church and its parishioners are to be allowed to have access to and use of adjacent private open space."

Town staff has had conversations in the past week with both the applicant and church representatives to try and negotiate a conclusion that is acceptable to all affected. This preliminary plat will require two points of access, as do all subdivisions. In order to accomplish this, there will be one access onto the West Frontage Road and one access onto Bella Rosa Parkway/CR 20. The new access onto Bella Rosa will require that one of the driveways into the Rinn United Methodist Church to be closed. Because of this closure, the applicant is required to provide access from the new road (Sandstone Street) to the church property. This new access is shown as Outlot H of the preliminary plat. Town staff discussed the possibility of relocating that access through the final plat process to better benefit the church and their site constraints. The applicant is willing to work on the location of the access, including the potential of having a joint access for the church and Lot 5, Block 3.

#### **Legal/Political Considerations:**

This project was reviewed by legal staff and all their comments have been addressed.

**Alternatives/Options:**

The Board of Trustees has the following options:

- Approve the project as presented.
- Deny the project as presented.
- Approve the project with conditions.
- Table this item and direct staff and the applicant to address specific items.

**Financial Considerations:**

Not Applicable

**Staff Recommendation:**

Staff recommends conditional approval of this project as reflected in the attached resolution. The recommended conditions are as follows:

1. An MOAPI will be required to be entered into with the Town before final plat recordation;
2. Surface use agreements will be required to be recorded prior to final plat recordation;
3. The Preliminary Plat is valid for one year.